

## REMARKS

This amendment is responsive to the non-final Office Action mailed on December 23, 2005. Claims 20-28 were pending before the amendment, claim 28 has been cancelled, and claims 20 and 25 have been amended. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Claims 20-28 stand rejected under 35 U.S.C. § 102(e) as anticipated by *Adkisson et al.* (U.S. Patent No. 6,563,131), hereinafter *Adkisson*. Of the rejected claims, claims 20 and 25 are the only independent claims and claim 28 has been cancelled. The Office Action contends that *Adkisson* shows or teaches all the elements of the rejected claims. Applicants respectfully traverse this contention.

Applicants have amended independent claim 20 to set forth that the gate electrode extends entirely around the surface periphery of the SOI island. *Adkisson* fails to disclose or suggest this feature of Applicants' claim 20.

Specifically, *Adkisson* discloses that the gate labeled (G) in Figure 11D extends about three sides of the drain labeled with (D) in Figure 28. In fact, the gate (G) includes a horizontal base and two vertical legs. Each of the vertical legs of the gate (G) is capped with nitride, labeled in FIG. 11D with (NIT). Hence, the gate (G) fails to extend vertically to the upper side of the drain (D), much less extend across the upper side of the drain (D). Figure 11B of *Adkisson* is a side cross-sectional view of Fig. 11D. The element labeled with (SI) in Figure 11B is the base of the drain (D). No structure projects above the upper surface of element (1024) on the backside of element (1024). Hence, the nitride (NIT) is either flush with, or below, the upper surface of element (1024), which means that the legs of the gate (G) do not projects above the upper surface of element (1024). This interpretation of Figure 11B in *Adkisson* is consistent with Figure 11D. Figure 11C of *Adkisson* is an axial cross-sectional view of Fig. 11D. In Figure 11C of *Adkisson*, the elements on three sides of the central cross-hatched rectangle, which represents the drain (D), are the element (1024) (i.e., the gate (G)) and the nitride (NIT) on the legs of the drain (D). This interpretation of Figure 11C in *Adkisson* is consistent with Figure 11D.

If the reference fails to teach even one of the claimed elements, the reference does not and

cannot anticipate the claimed invention. *Adkisson* fails to teach a gate electrode that extends entirely around the surface periphery of an SOI island. Consequently, Applicants respectfully request that the rejection be withdrawn.

Applicants' independent claim 20 is likewise non-obvious over the disclosure of *Adkisson*. Specifically, *Adkisson* fails to provide a suggestion or rationale for the gate (G) to extend entirely around the surface periphery of the drain (D). Consequently, Applicants' independent claim 20 is patentable over *Adkisson*.

Because claims 21-24 depend from independent claim 20, Applicants submit that these claims are also patentable for at least the same reasons as claim 20. Furthermore, these claims recite unique combinations of elements not disclosed or suggested by *Adkisson*.

Independent claim 25 is patentable for at least the same or similar reasons as independent claim 20. Specifically, claim 25 has been amended to set forth that the gate electrode extends entirely around the surface periphery of the SOI island, which was formerly found in original claim 28, now cancelled. Because claims 26 and 27 depend from independent claim 25, Applicants submit that those claims are also patentable for at least the same reasons discussed above. Furthermore, these claims recite unique combinations of elements not disclosed or suggested by *Adkisson*.

## **Conclusion**

Applicants have made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing amendments and remarks, this application is submitted to be in complete condition for allowance and, accordingly, a timely notice of allowance to this effect is earnestly solicited. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicants do not believe fees are due in connection with filing this communication. If, however, any fees are necessary as a result of this communication, the Commissioner is hereby

authorized to charge any under-payment or fees associated with this communication or credit any over-payment to Deposit Account No. 23-3000.

Respectfully submitted,

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Date

William R. Allen  
William R. Allen  
Reg. No. 48,389  
WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
(513) 241-2324